

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

1330 OLD RIVER, LLC
d/b/a Roc Bar
1330 Old River Road
Cleveland, Ohio 44113

Applicant,

v.

AMERICAN SOCIETY OF
COMPOSERS, AUTHORS
AND PUBLISHERS,
2675 Paces Ferry Road, S.E., Suite 350
Atlanta, Georgia 30339

Respondent.

related to

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMERICAN SOCIETY OF
COMPOSERS, AUTHORS AND
PUBLISHERS,

Defendant.

STIPULATION AND ORDER OF DISMISSAL

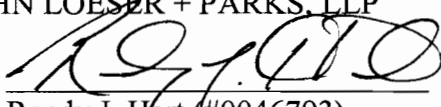
WHEREAS, the parties have agreed upon terms of settlement,

COPIES MAILED TO COUNSEL OF RECORD 9/5/08

NOW, THEREFORE, it is stipulated between the parties, by their undersigned attorneys, that, pursuant to Federal Rule of Civil Procedure 41(a), this proceeding may be dismissed with prejudice, each party to bear its own costs, including attorneys' fees.

Dated: Cleveland, Ohio
August ~~28~~²⁹, 2008

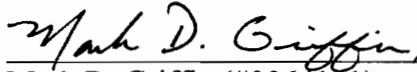
HAHN LOESER + PARKS, LLP

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Attorneys for Applicant 1330 Old River, LLC

Dated: Cleveland, Ohio
August 29, 2008

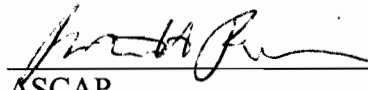
THE GRIFFIN LAW FIRM

By:  / BH (per consent)
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Attorneys for Applicant 1330 Old River, LLC

Dated: New York, New York
August 30, 2008

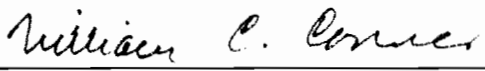
RICHARD H. REIMER, ESQ. (RR 7878)


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*Attorney for Respondent American Society of
Composers, Authors and Publishers*

SO ORDERED:

Dated: White Plains, NY
September 5, 2008



Sr. United States District Judge